

## **REMARKS**

Applicant thanks the Examiner for the Interview held on January 25, 2005 and for indicating that the proposed amendments with further clarification will overcome the art of record.

Claims 1-20 are pending. By this amendment, claim 9 is cancelled, and claims 1, 3, 4, 5, 6, 11, 13, and 19 are amended. No new matter is introduced. Support for the amendments may be found at least at page 6, lines 9-16 of the specification. Independent claims 1, 1, and 19 have been amended according to the Examiner's suggestions. Reconsideration and allowance of the claims in view of the above amendments and the remarks that follow are respectfully requested.

### **Specification Objections**

The abstract of the disclosure is objected to. The abstract has been amended. Withdrawal of the objection to the specification is respectfully requested.

### **Claim Rejections Under 35 U.S.C. §112**

On page 2 the Office Action rejects claim 19 under 35 U.S.C. §112, second paragraph. Claim 19 has been amended. Withdrawal of the rejection of claim 19 is respectfully requested.

### **Claim Rejections Under 35 U.S.C. §102**

On page 2 the Office Action rejects claims 1, 2, 5, 9-11, and 18-19 under 35 U.S.C. §102(b) over U.S. Patent 5,880,731 to Liles et al. (hereafter Liles). This rejection is respectfully traversed.

Claim 9 has been cancelled, rendering the rejection of claim 9 moot.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *Scripps Clinic Research & Foundation v. Genentech Inc.*, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991).

Liles is directed to a method that uses avatars with automatic gesturing and bounded interaction in on-line chat sessions. Each participant in a chat session is enabled to select one of a plurality of different avatars to represent the participant in a graphic chat session. Associated with each avatar is a bitmap file that includes a plurality of frames illustrating the

avatar in different poses, actions, and emotional states. Selected frames are displayed in rapid sequence in accord with a script file to create an animation effecting each gesture. The same script file is used to define a gesture for all of the avatars used in the chat session. A selected gesture can be transmitted with a text message to convey the user's emotional state. However, the term "frame" used in Liles means a single frame of a filmstrip or animation, which is different from an area. Additionally, Liles's method merely conveys gesture of participants, and does not subdivide an area (frame) into sub-areas, each sub-area being dedicated to a specific aspect of the meeting.

In contrast to Liles, amended claim 1 recites "the frame comprising: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area." As shown in Figure 2 of the present application, the icons that are used in the upper left and right corners protrude beyond the rectangle, demonstrating that the term "frame" referred to a known area as opposed to the box itself or what the box encloses. Claim 1 is amended to clarify the meaning of the frame. These features are also described at least at page 6, lines 9-16 of the specification:

If the murmur frame is segmented with segments dedicated to specific aspects of the meeting as in the exemplary murmur frame 200, the choice of segment in which an icon is displayed may be significant. For example, by displaying a clock icon in the upper left corner 206, a participant may indicate that meeting time is running out, whereas by displaying a clock icon in the upper right corner 204, the participant may indicate that he or she feels that the current discussion has lasted too long, or that the time allotted for this specific topic is running out, although the meeting as a whole may not be close to ending.

As illustrated in the specification, the choice of segment in which an icon is displayed is important. For example, displaying a clock icon in the upper left corner conveys a different message from displaying a clock icon in the upper right corner of the murmur frame.

As noted above, Liles does not disclose or suggest this feature of subdividing the frame into multiple sub-areas each uniquely dedicated to a specific aspect of the meeting. Therefore, amended claim 1 is allowable over Liles.

Claims 2, 5, 9-10 are allowable at least because they depend from allowable claim 1 and for the additional features they recite.

Regarding claim 11, for the same reason as noted above with respect to claim 1, Liles does not disclose or suggest "wherein each frame comprises: sub-areas each dedicated to a

specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 11. Therefore, amended claim 11 is allowable.

Claim 18 is allowable at least because it depends from allowable claim 11 and for the additional features it recites.

Regarding claim 19, for the same reason as noted above with respect to claim 1, Liles does not disclose or suggest “subdividing each frame into sub-areas, wherein each sub-area is dedicated to a specific aspect of a meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 19. Therefore, amended claim 19 is allowable. Withdrawal of the rejection of claims 1-2, 5, 9-11, and 18-19 under 35 U.S.C. §102 (b) is respectfully requested.

#### **Claim Rejections Under 35 U.S.C. §103**

On page 5 the Office Action rejects claims 16-17 under 35 U.S.C. § 103(a) over Liles. This rejection is respectfully traversed.

To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) and MPEP § 2142. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and MPEP § 2143.03.

Claims 16-17 are allowable at least because they depend from allowable claim 11 and for the additional features they recite. Withdrawal of the rejection of claims 16-17 under 35 U.S.C. §103(a) is respectfully requested.

On page 6 the Office Action rejects claims 3-4, 8, 12, 15, and 20 under 35 U.S.C. § 103(a) over Liles in view of U.S. Patent 6,522,333 to Hatelid (hereafter Hatelid). This rejection is respectfully traversed.

Hatelid is directed to a system and method for remote communication that allows communication over a network and provides a behavioral context within which the communication is interpreted. However, Hatelid does not cure Liles’s defect and does not disclose or suggest “the frame comprising: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 1. Therefore,

amended claim 1 is allowable over Liles and Hatelid. Similarly, Liles and Hatelid, individually and in combination, do not disclose or suggest “wherein each frame comprises: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 11. Likewise, Liles and Hatelid, individually and in combination, do not disclose or suggest “subdividing each frame into sub-areas, wherein each sub-area is dedicated to a specific aspect of a meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 19. Therefore, amended claims 11 and 19 are allowable over Liles and Hatelid.

Claims 3-4, 8, 12, 15, and 20 are allowable at least because they depend from the respective allowable independent claims and for the additional features they recite. Withdrawal of the rejection of claims 3-4, 8, 12, 15, and 20 under 35 U.S.C. §103(a) is respectfully requested.

On page 7 the Office Action rejects claims 6 and 13 under 35 U.S.C. § 103(a) over Liles in view of U.S. Publication 2001/0055036 to Burstrom (hereafter Burstrom). This rejection is respectfully traversed.

Burstrom is directed to a system and method for achieving an electronic information service (also called an online graphical message service) hosted by a computer system (e.g., a server) connected to a network. However, Burstrom does not cure Liles’s defect and does not disclose or suggest “the frame comprising: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 1. Therefore, amended claim 1 is allowable over Liles and Burstrom. Similarly, Liles and Burstrom, individually and in combination, do not disclose or suggest “wherein each frame comprises: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area,” as recited in amended claim 11. Therefore, amended claim 11 is allowable over Liles and Burstrom.

Claims 6 and 13 are allowable at least because they depend from allowable claims 1 and 11, respectively, and for the additional features they recite. Withdrawal of the rejection of claims 6 and 13 under 35 U.S.C. §103(a) is respectfully requested.

On page 8 the Office Action rejects claims 7 and 14 under 35 U.S.C. § 103(a) over Liles in view of U.S. Patent 5,508,718 to Haikin (hereafter Haikin). This rejection is respectfully traversed.

Haikin is directed to a computerized color selection system which selects colors based on a user's designation of color impact objectives which specify how colors affect those who view the colors rather than specifying the colors themselves. However, Haikin does not cure Liles's defect and does not disclose or suggest "the frame comprising: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area," as recited in amended claim 1. Therefore, amended claim 1 is allowable over Liles and Haikin. Similarly, Liles and Haikin, individually and in combination, do not disclose or suggest "wherein each frame comprises: sub-areas each dedicated to a specific aspect of the meeting, wherein the sub-areas are not distinct frames within a larger frame, and wherein displaying an icon in a first sub-area conveys a different expressive information from displaying the icon in a second sub-area," as recited in amended claim 11. Therefore, amended claim 11 is allowable over Liles and Haikin.

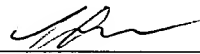
Claims 7 and 14 are allowable at least because they depend from allowable claims 1 and 11, respectively, and for the additional features they recite. Withdrawal of the rejection of claims 7 and 14 under 35 U.S.C. §103(a) is respectfully requested.

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

Date: **February 2, 2005**

  
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Kelly T. Lee  
Registration No. 47,743  
**Andrews Kurth LLP**  
1701 Pennsylvania Ave, N.W.  
Suite 300  
Washington, DC 20006  
Tel. (202) 662-2736  
Fax (202) 662-2739